

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JEMAL ALBRITTON,

Plaintiff,

No. 22-cv-4512 (JGK)

- against -

ORDER

LAWRENCE FREDELLA, ET AL.,

Defendants.

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JOHN G. KOELTL, District Judge:

The Court is in receipt of the attached letters from the pro se plaintiff, dated July 12, 2023, and July 16, 2023. The July 12, 2023 letter requests a copy of the defendant's July 3, 2023 letter requesting that their motion to dismiss be "marked fully submitted for decision without opposition." ECF No. 47.

In accordance with the plaintiff's request, the Court has attached the defendants' July 3, 2023 letter for the plaintiff's review. However, the Court notes for the plaintiff that in a July 5, 2023 Order (ECF No. 48), which was mailed to the plaintiff, the Court rejected the defendants' request because the request overlooked an earlier Order in which the Court extended the time for the plaintiff to respond to the motion to dismiss (ECF No. 45). Since that time, the Court has granted the plaintiff's request for another extension of the deadline to respond, which is now set for August 1, 2023. See ECF No. 52.

Accordingly, the plaintiff's response to the motion to dismiss remains due on **August 1, 2023**. Because no revised reply

deadline has been set, the new deadline for the defendants to reply is **August 22, 2023**.

The Clerk is respectfully directed to mail a copy of this Order to the pro se plaintiff and to note such mailing on the docket.

**SO ORDERED.**

Dated: New York, New York  
July 21, 2023

A handwritten signature in dark ink, appearing to read "JG Koeltl", is written over a solid horizontal line.

John G. Koeltl  
United States District Judge

Hon: John G. Koeltl  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: Albritton v. Fredella, et al., 22-CV-4512(JGK)

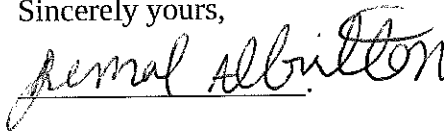
July 16<sup>th</sup> 2023

Dear Hon Judge Koeltl:

Enclosed is the document dealing with my request for special access, to which expired on July 2<sup>nd</sup> 2023. I have just now received the new special access which was granted to me. This is in reference to the extension of time that I requested, of 15 days—to respond to the motion to dismiss.

Thank you for your time and courtesy concerning this matter.

Sincerely yours,

A handwritten signature in cursive script that reads "Jermal Albritton". The signature is written in dark ink and is positioned below the typed name "Jermal Albritton".

cc: sent/file

David I. Cheng  
Assistant Attorney General

MAY 23 2023

# LAW LIBRARY MEMORANDUM

**TO:** Mr. Carlson  
Acting Deputy Superintendent of Programs  
Woodbourne C.F.

**FROM:** Law Library

**DATE:** 5/20/2023

**SUBJECT:** SPECIAL ACCESS CALL-OUT

Dear Dept. Supt. Of Programs Carlson:

In accordance with Directive 4483, the following Incarcerated Individual is requesting "Special Access" for (continuous) placement on the Law Library call-out to meet a legally defined deadline. I understand that this Special Access Request must include Documentation of the legal Deadline with the request.

Name: J. ALBRITTON Din: 06A5348 Location: f-2-3

This special access is being requested for the following reason(s)

NEED MORE Time for research and time to finish PUTTING MY Motion Together.

NOTE: The Standard 'Special Access' timeframe is thirty days or less from the deadline depending on the nature of the legal work involved.

**YOU WILL BE PLACED ON AVAILABLE TIME MODULE IF SPACE IS AVAILABLE**

Date Start: 5/22/23

Date End: 6/2/23

Area Supervisor Approval Signature:

Dept. Supt. Programs Approval Signature:

*[Signature]*  
*[Signature]*

United States District Court  
Southern District of New York

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Jemal Albritton,

Plaintiff,

No. 22-cv-4512 (JGK)

- Against-

Request for a Copy of July 3<sup>rd</sup> 2023 Letter  
Submitted by State Defendants.....

Lawrence Fredella, ET AL.,

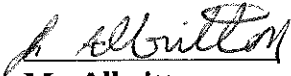
Defendants.

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**Please take notice**, I am a pro se plaintiff and I am writing to your Honor, (John G. Koeltl) because, upon receiving your ORDER dated: July 5<sup>th</sup> 2023; I noticed that the defendants requested that their April 20, 2023 motion to dismiss *"be marked fully submitted for decision without opposition."* *'July 3, 2023 Letter, ECF No. 47.'*

Indeed, I never received a copy of the aforementioned July 3<sup>rd</sup> 2023 letter, from State defendant's. Therefore, I am making a formal request for a copy of this letter. Thank you, and I await your positive response; and I remain,

Respectfully,



**Mr. Albritton**

**Din# 06A5348**

Woodbourne Corr Fac  
99 Prison Rd  
P.O. Box 1000  
Woodbourne, NY 12788

cc: sent/file:

Dated: July 12<sup>th</sup> 2023



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

LETTITIA JAMES  
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL  
LITIGATION BUREAU

July 3, 2023

**BY ECF**

Hon. John G. Koeltl  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

**Re: Albritton v. Fredella et al., 22-CV-4512 (JGK)**

Dear Judge Koeltl:

This Office represents Defendants Tina Stanford, Tyece Drake, Charles Davis, Tana Agostini, Ellen Alexander, and Erik Berliner, employees or former employees of the New York State Board of Parole ("Board") (collectively "State Defendants"). Pursuant to the Court's scheduling order on March 16, 2023, State Defendants' deadline to move for dismissal was April 20, 2023, Plaintiff was to oppose State Defendants' motion to dismiss by June 2, 2023, and State Defendants were to reply by June 30, 2023 Dkt. # 37. State Defendants' motion to dismiss was filed on April 20, 2023. See Dkt Nos. 38-40.

As of this date, Plaintiff still has not filed papers opposing State Defendants' motion to dismiss. Accordingly, State Defendants respectfully request that their motion to dismiss be marked fully submitted for decision without opposition.

Respectfully submitted,  
/s/ David T. Cheng  
David T. Cheng  
Assistant Attorney General  
David.Cheng@ag.ny.gov

cc: Jemal Albritton (06-A-5348)  
Woodbourne Corr. Facility  
99 Prison Road  
P.O. Box 1000  
Woodbourne, NY 12788-1000  
*Pro se*

Nicolette Pellegrino  
New York City Law Department  
100 Church Street  
New York, NY 10007  
*Interested Party Re: Defendant Fredella*